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**UNITED STATES DISTRICT COURT**  
**NORTHERN DISTRICT OF CALIFORNIA**  
**SAN FRANCISCO DIVISION**

Charles Baird et al.,

Plaintiffs,

v.

BlackRock Institutional Trust Company,  
N.A., et al.,

Defendants.

Case No: 17-cv-1892-HSG

**STIPULATION AND ORDER TO MODIFY  
TIME TO RESPOND TO DEFENDANTS'  
REQUEST FOR JUDICIAL NOTICE**

Pursuant to Northern District of California Local Rule 6-2, Plaintiffs Charles Baird and Lauren Slayton and Defendants Anne Ackerley, BlackRock Institutional Trust Company, N.A., Blackrock, Inc., Catherine Bolz, Chip Castille, Paige Dickow, Daniel A. Dunay, Any Engel, Nancy Everett, Joseph Feliciani, Jr., Michael Fredericks, Corin Frost, Daniel Gamba, Kevin Holt, Chris Jones, Philippe Matsumoto, John Perlowski, Ann Marie Petach, Andy Phillips, Kurt Schansinger, Tom Skrobe, Jeffrey A. Smith, the BlackRock, Inc. Retirement Committee, and the Investment Committee of the Retirement Committee (collectively, the "Defendants") by and through their respective counsel, stipulate and agree to the following:

1. On November 8, 2017, Defendants filed a Request for Judicial Notice in connection with Defendants' Motion to Dismiss Plaintiffs' Amended Class Action Complaint, filed on the same day.

1 2. Because the Request for Judicial Notice relates to the Motion to Dismiss, the Parties  
2 have conferred and agreed that it makes sense to align the remaining briefing on the  
3 two motions. Bortscheller Decl. ¶¶ 3-4. The Parties have therefore stipulated and  
4 agreed to the following briefing schedule for the Request for Judicial Notice, which  
5 coincides with the existing briefing schedule for the Motion to Dismiss:

6 **December 8, 2017** Plaintiffs' objection to the Request for Judicial Notice due

7 **December 22, 2017** Defendants' reply due

8 3. The parties have not requested any previous enlargement of time with respect to this  
9 Request for Judicial Notice.

10 4. There have been four previous time adjustments in this matter, none of which affected  
11 discovery or the trial date and each of which related to the motion to dismiss the  
12 original complaint and its hearing schedule. (ECF Nos. 28, 38, 48, 55.)

13 5. A declaration from Mary J. Bortscheller, setting forth the reasons for the Parties'  
14 request, is attached hereto as Exhibit A.

15 Dated: November 17, 2017

16 **COHEN MILSTEIN SELLERS & TOLL, PLLC**

17 By:

18 /s/ Julia Horwitz  
Julia Horwitz (admitted *Pro Hac Vice*)

19 Karen L. Handorf (admitted *Pro Hac Vice*)  
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***Attorneys for Plaintiffs***

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***Attorneys for Defendants***

**ATTESTATION**

I attest that for all conformed signatures indicated by an “/s/,” the signatory has concurred in the filing of this document.

Dated: November 17, 2017

By: /s/ Julia Horwitz

Julia Horwitz


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**ORDER**

PURSUANT TO THE STIPULATION, IT IS SO ORDERED:

Plaintiffs shall file any objection to Defendants' Request for Judicial Notice by December 8, 2017. Defendants shall file any reply by December 22, 2017.

Dated: November 17, 2017

  
Judge Haywood S. Gilliam, Jr.  
U.S. District Court for the  
Northern District of California